THE PRINCIPAL

ACTS

OF THE

General Assembly,

OF THE

CHURCH

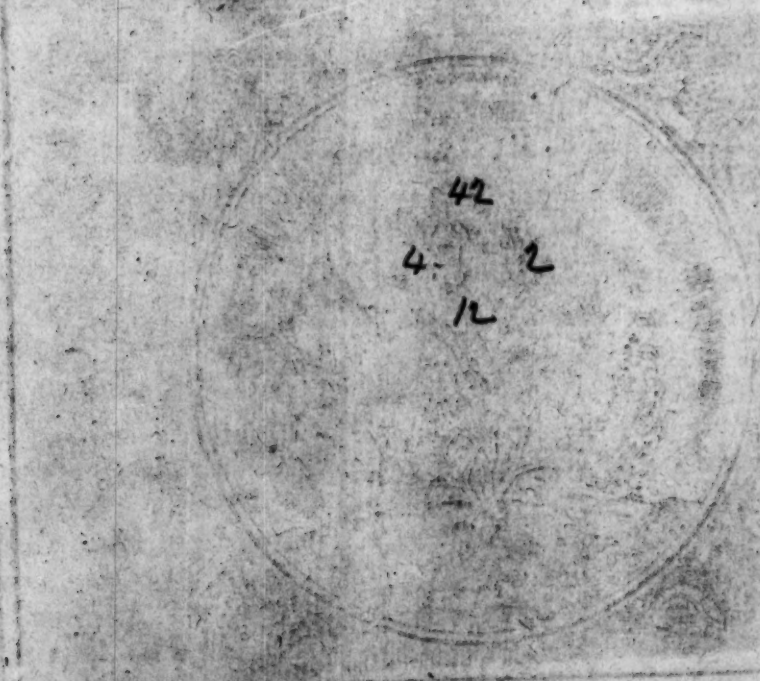
OF

SCOTLAND;

Conveened at *Edinburgh*, *March* 16*th*. 1704.

Collected and Extracted from the Records, by the Clerk thereof

EDINBURGH,
Printed by *George Mosman*, Printer to this CHURCH and Its ASSEMBLIES. M. DCC. IV.



THE PRINCIPAL

ACTS

OF THE

General Assembly,

OF THE

CHURCH

OF

SCOTLAND;

Holden and begun at *Edinburgh*, the 16*th* Day of *March* 1704. And ending the last Day of the same Moneth.

I.

The Recording of the Queens Commission to William *Lord* Ross, *for Representing Her Majesty in this Assembly.*

At *Edinburgh*, 16*th* Day of *March*, 1704. Sess. 1.

THE General Assembly of the Ministers and Ruling Elders of this National Church, being Conveened and Constitute, there was produced to them; by *William* Lord *Ross*, Her Majesties Commission under the Great Seal of this Kingdom, Making and Constituting him, Her Majesties High Commissioner, and Representative in this National-Assembly, which Commission being publickly Read with all due Honour and Respect; The General Assembly Appointed the same to be Recorded in their Registers, *ad futuram rei Memoriam*. The Tenor whereof follows.

" ANNA, Dei Gratia, Magnæ *Britanniæ, Franciæ, & Hi-*
" *berniæ* Regina, Fideique Defensor, *Omnibus* Probis
" Hominibus, ad quos præsentes Literæ Nostræ pervenerint,
" Salutem, *Quandoquidem* Ex decreto Nostro Generalis Ec-
" clesiæ Conventus Regni nostri *Scotiæ*, In decimum sextum
" diem Mensis Martii proxime sequentis, Convenire Or-
" dinabatur: Nosque autem abunde cupidæ quin etiam
" necessarium Judicantes in Commodum dictæ Ecclesiæ
" ut idem Generalis Conventus die statuto debite obser've-
" tur; Sed Rebus magni momenti Nos alio vocantibus,
" dicto Conventui interesse nequimus; Et Nobis abunde sa-
" tisfactum est de Fidelitate & Sufficientia, Fidelissimi &
" dilectissimi nostri Consiliarii *Gulielmi* Domini *Ross*,
" Quod ad munera summi Officii infra specificati, rite exer-
" cenda & obeunda usque quaque sit idoneus & instructus.
" Noveritis igitur, nos Fecisse, Nominasse & Constituisse,
" sicuti nos tenore præsentium, Facimus, Nominamus & Con-
" stituimus eundem *Gulielmum* Dominum *Ross*, supremum
" nostrum *Commissionarium* quoad effectum infra expressum,
" *Damus* pariter & Concedimus illi plenissimam nostram po-
" testatem Commissionem & Warrantum, sacram nostram
" Personam & Authoritatem nostram Regalem Repræsen-
" tandi, Præsentiam nostram Supplendi, Locumque nostrum
" in dicto subsequenti Generali Conventu tanquam Commis-
" sionario nostro in hunc effectum specialiter constituto, Te-
" nendi; omniaque alia ad Imperium & Munus Commissio-
" narii pro Generali Ecclesiæ Conventu Peragendi, tample-
" ne adeoque libere in quovis respectu quam quilibet alius
" ejusdem supremi muneris fecerat, seu quovis tempore re-
" troacto facere poterat, Atque sicuti Nos Ipsæ personaliter
" præsentes facere poterimus, *Quæ quidem* omnia & singula a
" dicto *Gulielmo* Domino *Ross* in hac nostra Commissione
" prosequenda, legitime facienda nos firmiter Approbamus,
" Rata habemus & habituræ sumus; *Omnibus* & singulis in-
" super antedicti Conventus & Ecclesiæ Pastoribus & Pres-
" byteris cæterisque, quibuscunque hujus nostri Regni sub-
" ditis, cujuscunque qualitatis & conditionis, ut dictum *Gu-*
" *lielmum* Dominum *Ross*. tanquam supremum nostrum
" Commissionarium quoad effectum & modum supra men-
" tionatum agnoscant, Revereantur & dicto ipsius audien-
" tes se præbeant, stricte Mandamus & Imperamus, *Ac De-*
" *nique* hanc nostram Commissionem a die quo magnum
" hujus Regni nostri Sigillum præsentibus est appensum, &
" deinceps hac Sessione sequenti Generalis Conventus ante
" dicti, in vigore continuare declaravimus, & per præsentes
" declaramus, saltem usque dum a nobis revocabitur & exo-
" nerabitur. *In cujus rei Testimonium* Præsentibus magnum
" sigillum

"sigillum noſtrum appendi præcepimus, Apud Aulam no-
"ſtram de St. *James's*, Vigeſimo nono die Menſis *Fe-*
"*bruarii*, Anno Domini, Milleſimo Septingenteſimo Quar-
"to, & Anno Regni noſtri, Secundo.

Per Signaturam Manu S. D. N. *Reginæ ſupra ſcriptam.*

Locus Sigilli Appenſi.

INDORSO.

Written to the Great Seal, and Regiſtrate the 15*th day of* March 1704. Charles Ker.

Sealed at Edinburgh, *the* 15*th day of* March 1704. *By ſpecial Order, till the Seal be Renewed, In abſence of Sir Alex.* Ogilvy *of* Forglan, Jo. Stewart *Deput.*

II.

Her Majeſties Gracious Letter

TO THE

GENERAL ASSEMBLY.

Eadem Seſſione.

HER Majeſties High Commiſſioner, preſented the Queens moſt Gracious Letter, directed to this General Aſſembly, which was publickly Read, with all due Honour and Reſpect, and is appointed to be Recorded in the Regiſters of this Aſſembly. The Tenor whereof follows.

ANNE R.

RIGHT Reverend and Well-beloved, we greet you well. The Satisfactory Accounts we have had of your Good Conduct and Management in the last Assembly, give us full Confidence of your Meeting at this time in the same good Disposition. And we doubt not but you will improve this Opportunity, to do what may be further necessary for *Promoting* the True Reformed *Protestant* Religion: And we earnestly recommend to you to take effectual Methods for *Planting* of vacant Churches with Pious and Learned Ministers, which is so necessary for Suppressing of Error and Immorality; In the doing whereof, you shall have from us, all due Encouragement and Assistance: We have thought fit to Appoint Our Right Trusty and entirely Beloved Counsellor *William* Lord *Ross*, to Represent Our Royal Person in this Assembly, whose Abilities and Fitness to Discharge this Trust, will, We doubt not, render him acceptable to you. We have fully instructed him, in what may be further necessary; and therefore you may give him entire Trust and Credit. So recommending to you, Calmness and Unanimity in your Proceedings, and the avoiding unseasonable Debates, which you must be sensible, will be of bad Consequence in this Juncture; we bid you heartily farewel.

Given at Our Court at St. James's *the Twenty Ninth Day of* February, *1704. And of Our Reign the Third Year.*

By Her Majesties Command

CROMERTIE.

Directed.

To the Right Reverend and Well Beloved,

The Moderator, Ministers, *and* Elders *of the* General Assembly *of the Church of* Scotland.

III. *The*

III.

The General Assembly's *Answer.*

TO

The Queens Gracious Letter

Edinburgh, the 18th Day of March, 1704. Sess. 3.

May it please your Majesty,

WE Bless God for his Goodness in giving to us your Majesty, a Protestant Queen to Reign over us, and we judge it our Duty, to offer to your Majesty our humble and hearty Thanks, for the good Effects of your Government, and all the Favour shewed to this Church, and more particularly for giving your Royal Assent in the last Session of *Parliament*, to the Act for Ratifying the Protestant Religion, and Presbyterian Government of this Church, and for your late Gracious and most Seasonable Letter to your Council, for ordering the Redress of our Grievances, as to Popery and Immorality, and other Disorders, and Restraining all Attempts against the present Legal Constitution, of this Church; As likeways that we are now again with your Majesties Countenance and Favour, met in the Name of our Lord Jesus Christ in a National Assembly, under your Majesties Shadow and Protection.

Your Majesties intrusting the Lord *Ross* to be your Commissioner to Represent your Royal *Person* in this Assembly, is very acceptable to us, he being of known and entire Fidelity and Loyalty to your Majesty, and of whose Kindness this Church hath great Confidence.

Your Majesties Gracious Letter to us, was received and Read, with all due Honour and Respect, and we do acknowledge you recommend nothing to us, but what is our Duty, and we Bless God, who puts it in your Royal Heart, to excite us to improve this Opportunity, to do what is necessary for Promoting the true Reformed Protestant Religion; and in order to that, the *Planting* vacant Churches with *Pious* and Learned Men, Graciously promising your Majesties Encourage-

ment and Assistance therein, and we shall endeavour to apply our selves thereto, as our great Work.

And withal, to study by the Grace of God, Calmness and Unanimity, and to shun as hitherto we have done, unseasonable Debates, which (as your Majesty is pleased to express it) would be of bad consequence in this Juncture.

Now that GOD may long preserve your Sacred Person, to Reign over your People, as a Blessing to them, and a Defence to all the Reformed Churches, and make you in due time a Blessed Mean of restoring the Peace of *Europe*, and that while Warr continueth, God may Prosper and Bless your Forces, and these of your Allies for the abovementioned Ends, both by Sea and Land, with Success, and that Religion and Righteousness may flourish among your People in your Days; Is, and shall be the Prayer of

May it please your Majesty,

Your Majesties most Faithful, most Obedient, and most Humble Subjects,

The Ministers and Elders, met in this National Assembly of the Church of Scotland.

Signed in Our Presence, in Our Name, and at our Appointment, By

Tho: Wilkie, Moderator.

IV.

Act joining the Presbytries of Caithness, Orkney *and* Zetland *in one Synod.*

At Edinburgh, *Twenty third of* March, *One Thousand Seven Hundred and Four Years.*

Post Meridiem, Sess. 7.

THE General Assembly having heard and considered an Overture, transmitted to them from the Committee for Overtures, for reviving the Act of the General Assembly Fifteenth

Fifteenth of *June* 1646, Adjoining the Presbytries of *Orkney* and *Zetland*, to the Provincial Synod of *Caithness*, after reasoning thereabout, and some Amendments made thereupon, They did by their Vote and hereby do unanimously Approve of the said Overture. And accordingly for the more orderly managing of Affairs in the Presbytries of *Orkney*, *Caithness* and *Zetland*, and restraining and correcting of Abuses that have fallen, or may hereafter fall out in these places, Do hereby Revive the forsaid Act of Assembly dated the 15th of *June* 1646 Entituled, *Act for joining the Presbytries of* Orkney *and* Zetland, *to the Provincial of* Caithness: And do appoint their Dyets of Meeting to be upon the first *Tuesday* of *June* yearly, during the continuance of this Act, and their first meeting to be, and begin upon the first *Tuesday* of *June* next, 1704 in the Town of *Thurso*, in *Caithness*; And do Appoint and Ordain the Synod of *Aberdeen* to send one; And the Synod of *Ross* and *Murray*, each of them two Ministers, and the like number of Ruling Elders to correspond with the said Synod, at their first meeting only; And the Assembly does Ordain the said Synod to enquire diligently into the state of Affairs in *Zetland*; And in particular, that at the first meeting they do consider, cognosce and determine in the Two Processes against Mr. *Hugh Leigh*, and Mr. *John Cumming*, Referred by the Presbytry of *Zetland* to this Assembly, which two Processes the General Assembly do hereby remit and refer to the said Synod; And the General Assembly does hereby declare, that this present Act shall obtain, and stand in force ay and while the same be recalled by a subsequent General Assembly, And that notwithstanding of the Act of Assembly the Ninth of *August* 1648, Disjoining the Presbytry of *Zetland* from the said Synod; And the General Assembly does also declare, that not withstanding of this present Annexation, The Presbytry of *Dornock* shall still continue to meet and Act Presbyterially, with the Presbytry of *Ross* as formerly; And the Assembly Appoints Letters to be written to the said Synod intimating the Premisses to them.

V.

Act anent Lecturing and Expounding the Holy Scriptures.

Edinburgh the 24th March 1704. Ante Meridiem Session 8.

THE General Assembly do hereby Appoint and Ordain, the several Ministers of this Church, to observe the

9th. Act of the General Assembly, *Anno* 1694. *Anent Reading and Expounding of the Scriptures in their Congregations*, And recommends it to Presbytries, at their Privy Censures, to enquire, how the said Act has been observed by the several Brethren within their Bounds. And Ordains an account of their Diligence thereanent, to be insert in their Presbytry Books, And likeways recommends to Synods at their privy Censures, to enquire how Presbytries have observed the said Recommendation.

V I.

Act, anent Commissioners to the General Assembly, and their Subscribing the Confession of Faith.

Edinburgh 27th March 1704. post merid. Sess. 10.

THE General Assembly for the better ordering of Elections of their Members, in time coming, Appoints and Ordains, that all Commissions to Ministers and Ruling Elders, from Presbytries, Universitys and Royal Burghs, to subsequent Assemblies, bear, that they have Subscribed the Confession of Faith of this Church, according to the 11*th* Act of the General Assembly, *Anno* 1700: And sicklike, that no Minister or Elder be Nominate and Commissionate to be a Member of the General Assembly of this Church, by any Presbytry, Burgh, or Universitty; but such as usually reside in, or have a Relation to the Presbytry Burgh or Universitty, they are commissionate from.

V I I.

Act, anent Citations, in Cases of Transportations of Ministers.

Eadem Sessione.

THE General Assembly, to prevent Rabling of Messengers by the People, and Horrid Profanation of the Lords Day, which frequently falls out in Cases of Transportations, when the defending Party and Parish, are to be Summoned; Appoints and Ordains, that the Minister himself being summoned *apud Acta* at the Presbytry, or if absent, by the Presbytries Letter, to be present at the Day appointed for

for hearing the Cause; He also be ordered to Intimate out of the Pulpit to Heritors, Elders and Others concerned in the Parish, that there is such a Call, and such a Transportation designed; and if any of them have a mind to defend their Right to their Minister, they are to be present at the Presbytry on such a Day, and ready to make their Defences, for which Cause, the General Assembly ordains, the Call with the Reasons thereof, to be given or transmitted to the Minister, to be by him communicat to them: And the General Assembly, does appoint this Method of Citations, in Cases of Transportations, to be observed only, where the *Presbytries* concerned, shall see cause to take that Course: In which Case, they, hereby Declare the Citation so given, to be a valide Citation; But, that it shall be optional to the Presbytries, to follow this Course, or do it by their Officiars as formerly.

VIII.

Act, anent Scandalous Persons turning Popish.

Eadem Sessione.

THE General Assembly considering, that some persons when challenged for Scandal, do turn Popish, or pretend to do so, to evite Censure; Do therefore Enact, that the Church proceed to the Censure of Excommunication, against such, after all the due Pains taken to reclaim them, proves ineffectual: And Appoints this present Act to be Intimate, in all the Churches within this Kingdom.

IX.

Act, anent Excommunication.

Eadem Sessione.

THE General Assembly considering, that the Sentence of Excommunication is much despised, and that persons do continue to converse unnecessarly and familiarly, with such as ly under that Sentence, as if they were not excommunicated; Do therefore Enact and Appoint, that the Sentence of Excommunication being first Intimat, throughout all the Churches within the *Presbytry*, where the said

Sentence was pronounced, if the perſon continue Obſtinate, that then the Presbytries give an account thereof to the Synod, who are to Appoint the like Intimation to be made in all the Churches within their Bounds; And if notwithſtanding of this, and other due Means uſed to reclaim them, they ſhall continue Obſtinate, In that caſe, the Aſſembly Appoints an Account of their Names, and Sentence paſt againſt them, to be brought by the ſaid Synod to the General Aſſembly, that they may appoint Intimation thereof, to be made through all the Churches of the Kingdom; And the Aſſembly does Appoint, that at the forſaids reſpective Intimations, Miniſters do take occaſion to hold forth the ſad State and Condition of excommunicat Perſons, and that they Inform the People how to carry towards them.

X.

Act, anent Students paſſing Tryals.

Eadem Seſſione.

THE Aſſembly, does appoint, that ſtrict notice be taken of ſuch as paſs their Tryals, in order to the Miniſtry; and for that end, do Ratify and Revive all former Acts of Aſſembly, made in Relation thereunto, and in particular, the Article allowed by the General Aſſembly *anno* 1596; and approven in the General Aſſembly at *Glaſgow*, 1638, Article 13 Seſſion 7 renewed *ultimo Auguſti* 1647. Seſſion 27. Anent the Age of ſuch, As alſo the 10 Act of the General Aſſembly 1694, and the 22. Act of the General Aſſembly 1696. And do farther Ordain, that the Catechetick Tryals be not perfunctoriouſly gone about, and that Presbytries do appoint ſome of their Number to Examine them in their own preſence, upon the ſeveral Heads of Divinity, and the Government of the Church, and to know what reaſon they can give of their Faith, and Sentiments in theſe Matters, and if they can Anſwer ſome Principal Objections, and that previouſly to all Other Parts of their Tryals, and that this be not done haſtily; but that a particular competent Time be allowed for that Purpoſe, and that there be an Tryal alſo given to Probationers, of their Gifts as to Lecturing, and the General Aſſembly, does hereby Require and Enjoyn, that the ſeveral Synods at their privy Cenſures, make ſtrict Enquiry, how the Presbytries within their Bounds, have Obſerved this and other Acts of Aſſemblies made, to this purpoſe.

XI. *Act*,

XI.

Act against Prophaneness, with a Recommendation to the Commission thereanent.

Eadem Sessione.

THE General Assembly for the more effectual restraining of Prophaneness and Immorality, and obtaining the exact Execution of the Laws against them, *Do* hereby recommend to the Commission to be Nominate by them, that they appoint some of their number with the Clerk, to draw up an Abstract of all the Acts of Assemblies to that purpose, both before, and since the late Revolution, which being revised and approven by the Commission, at their quarterly meeting in *June*, may by them be ordered to be Printed; Together with the abstract of the Acts of Parliament against Prophaneness, in a small volume, and each *Presbytry* is hereby enjoined twice a Year, at least, at dyets appointed *in hunc effectum* to Read these, and to enquire at each Minister what is done by him for the Execution thereof, and every Synod is hereby ordained, to take a strict account of *Presbytries* their Diligence and Faithfulness therein, and the General Assembly hereby likeways recommends to all Presbytries, to think seriously what may be further needful for restraining of Wickedness, and advancing of Piety and the Kingdom of CHRIST in the Nation, and send in their Overtures concerning the same, to the next General Assembly, who may take those to their serious consideration, and make this their chief and first Work.

XII.

Act anent Preaching, or disseminating Erroneous Doctrine.

Eadem Sessione.

THE General Assembly, for vindicating of the Truths of God, professed in this Church, and for suppressing of Errors, do hereby discharge all persons, to *Preach* or Disseminate any Erroneous Doctrine, opposite to any Head or Article of the *Confession of Faith* of this Church, and particularly Discharges the venting any *Arminian* or *Socinian* Errors; And do Ordain the Respective Judicatories of this Church,

to advert to any who ſhall Teach or Vent ſuch Errors, and proceed to Cenſure them therefore, as ſhall be found juſt and requiſite, for ſuppreſſing the ſame: And more eſpecially the General Aſſembly does hereby recommend to the Synod of *Fife*, to take heed to Mr. *James Grahame* at *Dumfermling*, that he contraveen not this Act.

XIII.

Act for beſtowing Burſaries upon Students, having Iriſh.

Eadem Seſſione.

THE General Aſſembly taking to their Conſideration, that now, through the Mercy and Goodneſs of GOD, moſt of the Low-land Presbytries be South *Tay*, are competently planted, and that the promoting of Knowledge, Religion and Civility in the High-lands, is the common concern of this National Church, do therefore Enact and appoint, that the one half of all the Burſaries of the Presbytries be South *Tay*, including that part of the Synod of *Pearth* that lyes benorth *Tay*, be payed in to Collectors, to be appointed by the Reſpective Presbytries, of *Glaſgow*, *Edinburgh*, and St. *Andrews*, which Presbytries are to be comptable to their Reſpective Synods concerned, for what Money they receive, the one half thereof to be applyed for the Education of ſuch Youths as have the *Iriſh* Language, in Philoſophy and Divinity at the Colledges of *Edinburgh*, *Glaſgow* and St. *Andrews*, and the other half to be diſpoſed of, to Low-land Burſars, or ſuch other Pious uſes, as the Reſpective Synods ſhall think fit; And for this End, the Synods of *Glaſgow*, *Galloway* and *Dumfreis*, to pay their Burſaries to a Collector, to be appointed by the Presbytry of *Glaſgow*, and under their Inſpection accountable to their Synods; In like manner, the Synods of *Merſe* and *Lothian*, to the Presbytry of *Edinburgh*, The Synods of *Fife*, *Pearth* and *Stirling* to the Presbytry of St. *Andrews*: And this to begin at *October* next, and to continue for Four Years, or longer, as the General Aſſembly ſhall ſee cauſe. That to the Synod of *Argyle*, (who have a Gift of Vacancies for Training Youth) a certain ſmall number of the Burſaries payable to the Collector, to be appointed by the Presbytry of *Glaſgow* be alloted, and all the reſt for the other High-lands, and none are to have the Benefite of any of the ſaids Burſaries, but ſuch as bring a Teſtimonial or Recommendation from the Synods Reſpectively, to which they

they belong, bearing, their having been Examined by that Synod, and the Synods good hopes of them as sober Youths, Piously enclined, and well affected to the Government of the Church and State, and that they have the *Irish* Language, and being good Proficients in the Latine, and such as they judge may in due time, proveable Ministers of the Gospel, or School-Masters, and that they have obliged themselves to imploy their Talents in these Services, in the High-lands, either within the Bounds of the Synods recommending them, or some others by their allowance, and that these Testimonials be Recorded, with their Names, and reported to each General Assembly; And farder the General Assembly does hereby renew the *8th* Act of the General Assembly, *anno* 1701. Entituled, *Recommendation to the Synods anent Maintaining of Bursars, having the* Irish *Language*, and appoints the said Act to be observed, untill the General Assembly see cause to recall the same.

XIV.

Act anent Erecting Schools, in the High-lands.

Eadem Sessione.

THE General Assembly taking to their consideration, that the planting, and propagating of Religion in the *Highlands*, is a Work of Charity, to perishing Souls there, and of great Importance to this Church and Nation, to which every one in their Station, Especially Ministers of the Gospel, ought with much Chearfulness and forward Zeal, to afford their best endeavours and assistance, and being informed of the good Inclinations of many, and their willingness to contribute for so good a Work, and that the Synod of *Glasgow* and *Air* have made a laudable progress therein, this Assembly for their parts (until farder advances be made in that Noble and Christian *Design*) Declare themselves willing to concur, as the matter, and its success shall open unto them, and do in pursuance of what is recommended to them by Her Majesties Gracious Letter, agree that there be a Voluntar Contribution made, by way of Subscription in each Presbytry within this Kingdom, and that in like manner they gather up by Subscriptions, or otherwayes from Noblemen, Gentlemen, and other charitably disposed persons within their Respective Paroches, and in those that are Vacant, by the Presbytries Direction and Order, what

they can get, for Erecting Schools, and Educating Youth in the *Highlands* and Isles, where the same is not provided for already, and that, what is Collected in the Synods of *Glasgow* and *Air*, *Drumfreis* and *Galloway* be sent in, to the Presbytry of *Glasgow*, That the Synods of *Lothian* and *Tweeddale*, *Merse* and *Tiviotdale*, send in their Collections to the Presbytry of *Edinburgh*. That the Synods of *Fife*, *Perth* and *Stirling*, send in their Collections to the Presbytry of St. *Andrews*, The Synods of *Angus* and *Mearns* and *Aberdeen* to the Presbytry of *Aberdeen*, and the saids Presbytries of *Glasgow*, *Edinburgh* St. *Andrews* and *Aberdeen* are to take care, to secure what of the Contributions comes to their hands, and to be countable to their Respective Synods: and the management and disposal of what is so collected, is hereby recommended to the Commission of the General Assembly; For which end, Synods or Presbytries, who receive what is collected, are appointed to send an account thereof, quarterly to the forsaid Commission, But the other Presbytries concerned in the *Highlands* and *Islands* are to have the management of the Collections made within their own Bounds, as they shall find most effectual for attaining the said design, and to be countable to their own Synods; which way of management, is to continue till the next Assembly, and Synods are desired to send in their Opinions concerning the promoting and farder carrying on of the said design to the next Assembly; And the Assembly farder recommends it to their said Commission, as they shall find needful and convenient, to apply to the Parliament, Lords of Her Majesties Privy Council, and these in the Government for their Concurrence and Assistance in this matter, and for interponing their Authority, for getting the said Schools Erected; and obligeing Parents to put their Children thereto, and for making the said design effectual: And Lastly, Its recommended to the Presbytries and Synods concerned in the *Highlands*, to send in to the Commission, an account of what Paroches have or want Schools, and the reasons of their wanting thereof, and what places do most need, and are most convenient for Erecting Schools in, as also to send in an account of such Students as are hopeful, whom they would have supplyed, and this, but prejudice of Schools in every Parish, appointed by Act of Parliament, and of the Royal Gifts, in favours of the *Highlands*, And the General Assembly recommends, to the Commission to cause reprint and disperse the Reasons and Motives for carrying on the said Design.

XV.

Act approving the Actings and Proceedings of the Commission of the General Assembly, Anno 1703.

Edinburgh, 28th March 1704. Post meridiem. Session 11*th*.

THE General Assembly having this day had reproduced in their Presence, the Registers of the Actings and Proceedings of the Commission appointed by the last Assembly, and having heard a Report of the Committee, of their own Number, who were not Members, of the said Commission, appointed to Revise Examine, and Consider the said Register, with their Observes thereupon, and the Answers made thereto, by the Moderator, and other Members of the said Commission. The Members of the said Commission were removed, and Mr. *John Bannatyne* was chosen Moderator *pro tempore*; The Moderator of this Assembly having been a *Member* of the said Commission, and the General Assembly having maturely considered the said Report and Answers, do find that the whole Actings Proceedings and Conclusions of the said Commission, contained in two Registers thereof, Subscribed by *Mr. George Meldrum Moderator* and *Mr. John Dundas* Clerk, do evidence much Wisdom, Prudence, Zeal and Diligence, and that the said Commission have proceeded Orderly and Formally in every Thing, according to their Commission and Instructions; and therefore this Assembly by an unanimous Vote did, and hereby do Ratifie and Approve the whole Actings, Proceedings and Conclusions of the said Commission, contained in their saids two Registers of the same, beginning the Twenty Fourth Day of *March* 1703, and ending the Second Day of *March* current, *Inclusive*; and the *Members* of the Commission being called in, the same was Intimat to them, and the *Moderator* gave them the Thanks of this Assembly, for their good Service done to this Church, and then, the *Moderator* and Clerk to this Assembly, took their Places.

XVI.

Act and Recommendation, anent Regulation of the Commission of the General Assembly.

Edinburgh, 29th March 1704. Ante meridiem, Session 12.

SEING by the Instructions brought in from Presbytries, to this and preceeding Assemblies, it appears to be the

Desire of several Ptesbytries, that there be some Just and Equal Representation of the several Synods and Presbytries upon the Commission; Therefore the Assembly not having time now to adjust that *Matter*, Appoints the several Presbytries to consider seriously upon it, and to send in their Advice thereanent, to the next ensuing General Assembly; particularly, as to what Number of Persons out of each Synod or Presbytry, are fit to be upon the Commission; How the Persons shall be Nominate and Chosen at the Assembly, and how they may be obliged to attend duely, upon the Dyets of the Commission when it meets, and to consider of the best *Methods* for supplying their Charges with *Preaching*, and defraying their Expences, or concerning any other thing needful, to the said *Regulation*; and in the mean time, that the Commission to be appointed by this Assembly, may the more regularly proceed, and effectually execute their Commission and Instructions, the Assembly recommends it to the several *Presbytries*, to be careful to send in, at least, one of their Number to attend the Dyets of the said Commission, and to supply the Charges of such with Preaching, and to furnish their necessary Charges and Expences when attending as said is, And that the Assembly may be in the better case to *Regulate* this and other Things of Importance, the General Assembly does recommend it to *Presbytries*, to choose the Wisest, and most Grave and Experienced of their Number, to *Represent* them in the next Assembly.

XVII.

Act, anent Libraries in the Highlands.

Eadem Sessione.

THE General Assembly taking to their Consideration, that there is a project sett on foot by some piously enclined Persons, in This and the Neighbour Nation of *England*, for Erecting Libraries in the *Highlands* of this Kingdom, and that good Advances have been made therein; do declare their Approbation of that Design, and appoints a *Letter* of Thanks to be written to the *Society* in *England*, for propagating Christian Knowledge, and to others who have given their Concurrence and Assistance in this Matter; and the General Assembly impowers the Commission to apply to the *Lords* of Her Majesties Privy Council

cil or Thesaury for their Assistance, in order to the bringing down of the saids *Books* from *England*, and transmitting the same to the *Places* underwritten, at which they are to be fixed, in this Kingdom. And the said Commission is hereby impowered to give their best Advice and Assistance, for making this *Project* effectual. And *Lastly*, they are to use their Endeavours for getting a New Impression of the *Bible* in *Irish*. And the General Assembly Renews the Recommendation of the Assembly *anno* 1699 to the Synod of *Argyle*, for Translating the Confession of Faith, and *Larger* Catechism in the *Irish Language*; with a Vocabulary of the most necessary and useful Terms in Divinity; and likeways Renews the 22*d* Act of the General Assembly *anno* 1694, concerning the use of the *Irish Psalms*, and Shorter Chatechism. And the General Assembly does agree, that one of the saids *Libraries* be fixed at *Dumbartoun*, Two in the Presbytry of *Dumblain*, Three in the Province of *Rose*, One in the Presbytry of *Southerland*, Two in the *Presbytry* of *Caithness*, One in *Orknay*, One in *Zetland*, Four in the *Province* of *Murray*, Four in the Presbytry of *Dunkeld*, and Twelve in the Synod of *Argyle*, Including the Westren Isles, in such places, as the Respective Synods and *Prebytries* of these Bounds shall agree upon.

XVIII.

Act against Schism and Disorders, and anent Mr. John Memillan, *and Mr.* John Hepburn.

Edinburgh 30*th March* 1704. Ante meridiem Session 13*th*.

THE General Assembly taking to their Consideration, that notwithstanding this Church doth adhere to her former Doctrine, Worship, Discipline and Government, yet some under a pretext of Zeal, do separate and withdraw from Communion with her; do therefore enjoyn all *Presbytries* and Synods, to Censure such *Persons* who do within their *Bounds* carry on Divisive Courses, and that they vigourously use all suitable Means, for Reclaiming misled People, and for the preventing the *Growth* of *Schism*; And that the Commission of the General Assembly shall give their Assistance in this good Work, to the several Judicatories, as need shall require; And the General Assembly having also considered a *Petition* and *Reference* of the *Presbytry* of *Kircubright*, concerning Mr. *John Memillan*, who Exercises the Ministry in *Balmaghie*, and other places after his be-

ing deposed, and the Report of a Committee appointed by them to consider that Affair, bearing that they having heard the whole Process of the Presbytry against him, and deliberate thereon, gave it as their Opinion, that he (being Cited to this Assembly by the said Presbytry of *Kirkcubright apud acta*, for Contumacy, in contraveening their Sentence of Deposition) be called, and if he appear not, that the Assembly referr this Affair to their Commission, who shall cause cite *Mr. John Mcmillan* to compear before them, and do therein as they shall see cause. And *Mr. John Hepburn* being delated by the Presbytry of *Kircubright*, for Preaching in the Kirk of *Balmaghie* in their Bounds, without being desired by them; yea even when another was appointed by them to preach there, and for employing the deposed Mr. *John Mcmillan* to preach for him at *Orr*; And several other Presbytrys bringing in Complaints against the said Mr. *John Hepburn*, of his Disobedience to the Act of the General Assembly *anno* 1699, Reponing him to the Exercise of his Ministry, in his not corresponding with, nor being a constituent Member of the Presbytries of *Drumfreis* or *Kircubright*, as the said Act requires, and by preaching in several Presbytries, both in vacant and planted Parishes, without the Respective Presbytrie's Allowance, and Baptizing Children coming from several Parishes without Testimonials from the Ministers of these Parishes, or their Sessions: Therefore the General Assembly Refers also the Affair of the said Mr. *John Hepburn* to their Commission, and impowers and enjoyns them, to cite him before them, and take Tryal of the Disorders he is charged with, and proceed against him with the Censures of the Church, as they shall see cause; And if need be, that they send a Committee into the Bounds of *Drumfreis* and *Galloway*, for both these affairs, and visiting these Bounds, which Committee shall concur with the Respective Judicatories there, in cognoscing of any Schism or Immoralities that may have fallen out, and of Error and Insufficiency in any that may be delated on that account; Which Overture and Act being read and considered, the Assembly did by their Vote approve thereof, and Mr. *John Mcmillan* being accordingly three several times publickly called at the Door, and not compearing; therefore the General Assembly referred and appointed, according to the said Act in all Points.

XIX. Com.

XIX.

Commission to some Ministers and Elders, for planting Vacant Kirks in the North, *the* Highlands *and* Islands, *and other Affairs Remitted to them.*

Eadem Sessione.

THE General Assembly considering, that there are yet some Vacant Churches on the North side of *Tay*, and in the *Highlands*; as likewayes several weighty Affairs which this Assembly cannot overtake, do therefore find it needful, that there be a Commission granted to some *Ministers* and Ruling Elders, for planting these Vacant Churches, and doing what shall be referred to them, concerning the *Highlands* and *Isles*, and other matters, And for that end, do hereby Nominate, Commissionate and Appoint, *Masters*, *Hugh Anderson* at Cromarty, *William Crichton* at Edinburgh, *John Law* there, *George Hamilton* there, *George Meldrum* there, *David Williamson* at the West-Kirk, *John Hardie* at Gordon, *William Calderwood* at Ligertwood, *Gabriel Semple* at Jedburgh, *Thomas Sheilds* at Sanquhar, *Thomas Verner* at Balmaclellan, *John Gemmil* at Symontoun, *James Hutchison* at Killallan, *Hugh Campbel* at *Muirkirk*, *Patrick Simpson* at Renfrew, *Duncan Campbel* at Roseneath, *Robert Eliot* at Kinglassie, *John Anderson* Principal of the Leonardine Colledge of St. Andrews, *William Mitchel* at Dundee, *Thomas Thomson* at Old Aberdeen, *Duncan Camphel* at Knapdale, *James Gilchrist* at Keith, *James Murray* at Grange, *Alexander King* at Elgin, *James Thomson* there, *Joseph Sanderson* at Alvis, *James Bannerman* at Inveraven, *James Chapman* at Crombdail, *Alexander Forbes* at Dyke, *Robert Baillie* at Inverness, *William Stewart* at Kiltearn, *Hugh Monro* at Tayne, *Archbald Bowie* at Dornock, *Charles Keith* at Week in Caithness, *Hugh Corss* at Bowar there, *James Sands* at Birsay in Orkney, *James Buchan* at Northmaven in Zetland, *Thomas Wilkie* in Canongate, *Archbald Riddel* at Edinburgh, *David Blair* there, *James Webster* there, *William Wisheart* at South-Leith, *William Carstairs* Principal of the Colledge of Edinburgh, *George Barclay* at Strathbrock, *John Brand* at Borrowstounness, *John Brown* at Abercorn, *Robert Livingstoun* at Biggar, *James Stewart* at Glenquhom, *William Higgins* at Tweeds-mure, *Andrew Mitchel* at Manor, *Patrick Cumming* at Ormistoun, *John Flint* at Laswald, *David Walker* at Temple, *William Megeorge* at Pennycook, *Matthew Reid* at Northberwick, *Robert Horseburgh* at Saltprestoun, *John Bell* at Gladsmure, *George Turnbull* at Timingham,

ghame, *Robert Stark* at Stentoun, *John Lawder* at Eccles, *John Dawſon* at Langtoun, *James Ramſay* at Eymouth, *John Pow* at Lennel, *James Dowglaſs* at Stow, *James Ker* at Nenthorn, *Charles Gordon* at Askirk, *William Meghie* at Selkirk, *James Borlands* at Bedrule, *Nicol Edgar* at Hopkirk, *John Glen* at Stitchell, *John Cranſtoun* at Crelline, *Robert Colvil* at Yetholme, *William Yetch* at Dumfreis, *Robert Paton* there, *John Henderſon* at Kirkmahoe, *William Steill* at Lochmaben, *George Mulligen* at Moffat, *James Armſtrong* at Carnabee, *John Mein* at Weſterkirk, *James Murray* at Penpont, *Thomas Tod* at Derisdeer, *Andrew Cameron* at Kirkcubright, *William Boyd* at Dalry, *James Monteith* at Borgue, *Thomas Ker* at Wigtoun, *Robert Rowan* at Penninghame, *Thomas Kennedy* at Ballantrae, *William Wilſon* at Inch, *Mathew Baird* at Munktoun, *Patrick Crawford* at Dailey, *Robert Cumming* at Riccartoun, *William Maitland* at Mauchlin, *John Lawrie* at Auchinleck, *John Glaſgow* at Kilbirnie, *Hugh Fauſide* at Loudoun, *George Chalmers* at Kilwinning, *John Paiſley* at Lochinnoch, *Robert Mackauley*, at Inch-ennan, *James Mackdonal* at Merns, *Robert Wyllie* at Hamiltoun, *John Muirhead* at Cambuſnethan, *John Hamilton* at Straven, *John Bannatyne* at Lanerk, *Thomas Lining* at Leſmehagoe, *John Scot* at Carluke, *John Stirling* Principal of the Colledge of Glaſgow, *James Clerk* at Glaſgow, *Andrew Tait* at Carmunock, *John Gray* at Glaſgow, *Robert Anderſon* at Row, *George Park* at Killearn, *John Anderſon* at Dumbartoun, *Walter Campbel* at Denoon, *Dougal Stewart* at Rotheſay, *Dougal Campbel* at Southend, *James Macqurrich* at Illa, *Daniel Campbel* at Glaſſerie, *Daniel Mackay* at Inverary, *Neil Campbel* at Lochaber, *John Moriſon* at Glenelick, *Mathew Wallace* at Kincardine, *Alexander Dowglaſs* at Logy, *James Brisbane* at Stirline, *John Wyllie* at Clackmannan, *William Spence* at Foſſoway, *William Reid* at Dunning, *Archibald Moncreif* at Blackfoord, *Robert Anderſon* at Perth, *Thomas Black* there, *Samuel Nairn* at Errol, *Alexander Dunning* at Abernethy, *Alexander Glaſs* at Kinclevin, *Robert Boes* at Ratray, *Archibald Campbel* at Dalgetie, *Allan Logan* at Toriebürne, *Joſeph Drew* at Markinſh, *James Grierſon* at Weems, *Thomas Ruſſel* at Kennoway, *Andrew Wardroper* at Bingrie, *James Pitcairn* at Ketle, *William Dick* at Couper, *Thomas Halyburton* at Cyres, *William Thomſon* at Fliſk, *William Moncreif* at Largoe, *William Hardy* at St. Andrews, *John Anderſon Junior* there, *Walter Wilſon* at Kilconquhar, *Robert Clelland* at Killrenny, *James Haddon* Profeſſor of Divinity at St. Andrews, *William Miller* at Meigle, *James Ramſay* at Bendochie, *Samuel Johnſton* at Dundee, *James Murr* at Murrays, *John Ferguſon* at Aberbrothick, *William Arrot* at Montrole, *Charles Chartres* at Arberlat, *Francis Melvil* at Arburthnet,

net, *David Ramsay* at Fettercairne, *Thomas Kinneir* at Echt, *John Shepherd* at Midmarr, *James Osburn* Professor of Divinity at Aberdeen, *Thomas Blackwell* there, *John Angus* at Kinneller, *Alexander Mitchel* at Belhalvy, *William Mair* at Oyne, *William Forbes* at Lesly, *George Skeen* at Kinkell, *George Anderson* at Tarves, *James Brown* at Aberdour, *Andrew Guthrie* at Peterhead, *Hugh Innes* at Mortlich and *Peter Darline* at Bondie, Ministers. His Grace *John* Duke of Athole, *William* Marques of Lothian, *John* Earl of Rothes, *George* Earl of Melvil, *John* Earl of Ruglan, *Patrick* Earl of Marchmount, *John* Earl of Hyndford, *David* Earl of Glasgow, *Charles* Lord Yester, *William* Lord Forbes, *William* Lord Ross, *Robert* Lord Burleigh, *John* Lord Belhaven, Sir *Hugh Dalrymple* of Northberwick Lord President of the Session, Sir *James Stewart* Her Majesties Advocat, Sir *David Home* of Crossrig, Sir *William Anstruther* of that Ilk, Sir *John Hamilton* of Halcraig, Sir *John Maxwel* of Pollock, Sir *Robert Stewart* of Tillicultrie, Five of the Senatours of the Colledge of Justice. Mr *John Campbel* Uncle to the Duke of *Argyle*, Mr. *Francis Montgomry* of Giffan Uncle to the Earl of *Eglington*, Lieutenant Colonel *John Erskine* of Carnock Son to the Deceast Lord *Cardross*, *Ludowick Grant* of that Ilk, *Alexander Grant* Younger of that Ilk, *James Brodie* of that Ilk, *Innes* Younger of that Ilk, *Hugh Rose* of Kilravock, *Duncan Forbes* of Culloden, *David Ross* of Balnagowan, *Hector Monro* of Drumindold, Sir *William Dunbar* of Hempricks, *Adam Cokburn* of Ormiston, *George Dundas* of that Ilk, *William Baillie* of Lamington, Sir *John Clark* of Pennycook, Sir *John Home* of Blackadder, *George Baillie* of Jerviswood, Sir *John Pringle* of Stichel, *James Pringle* of *Buckholme*, *Kirkpatrick* Younger of Closburn, *William Maxwel* of Cardinels, *Patrick Murdoch* of Cumloden, Sir *James Agnew* of Lochnaw, Mr. *James Bosvil* of Auchinleck Younger, *John Alexander* of Black-House, Sir *David Stewart* of Kirkfield, Sir *James Campbel* of Auchinbreck, Sir *Collin Campbel* of Ardkinglass, *James Campbel* of Ardkinglass Younger, Sir *James Campbel* of Aberuchel, Lieutenant Colonel *John Erskine* Governour of Stirling Castle, *Adam Drummond* of Meggins, *Craigie* of Kilgriston, *George Moncreif* of Reidy, Sir *David Carnagy* of Pitarro, *Forbes* of Boyndly, *Alexander Duff* of Braccoe, Sir *Walter Pringle* Advocat, Sir *Andrew Kennedy* of Cloburn, Sir *Hugh Cunninghame* of Craigend Lord Provost of Edinburgh, *Hugh Montgomrie* of Busby, *Walter Stewart* of Pardivan, *John Scrimzeour* of Kirktoun, *John Duncan* Provost of Dundee, *Thomas Mitchel* Provost of Aberdeen, *John Allardes* late Provost there, *John Anderson* of Dowhil, Mr.

James Gellie Advocat, Mr. *Robert Whyte* of Bennochie Advocat, *Claud Hamilton* of Barnes, *John Campbel* of Glenſadel, *Robert Ramſay* Provoſt of the Old Colledge of St. Andrews, *Walter Scot* Provoſt of Jedburgh, *Robert Corbet* Baillie of Drumfreis, *Peter Grahame* of Waterhead, *Robert Tweedy* of Kingledoors, *William Livingſton* Deacon-Conveener in Edinburgh, Ruling Elders to be Commiſſioners of this General Aſſembly, to the Effect before, and after mentioned, with full Power to the ſaids Perſons or their *Quorum*, which is hereby declared to be, any Twenty one of the ſaids Commiſſioners, whereof Fifteen, are always to be Miniſters, to meet and conveen within the Aſſembly Houſe at *Edinburgh*, the firſt day after the Diſſolution of this Aſſembly, at ten hours in the Forenoon, and afterwards, to meet the firſt *Wedneſdays* of *June*, *September*, *December* and *March*, and oftner, when and where they ſhall think needful and convenient, with power to the ſaid Commiſſion to chuſe their own Moderator: And ſicklike the General Aſſembly fully Impowers and Authoriſes their ſaids Commiſſioners, or their *Quorum*, to cognoſce and finally determine, as they ſhall ſee cauſe, in every matter referred, or that ſhall be referred to them by any Act or Order of this Aſſembly, and to do every thing contained in, and conform to the Inſtructions given to them by this General Aſſembly; And Finally, with power to the ſaid Commiſſion, to advert unto the Intereſt of the Church, on every occaſion, and that the Church do not ſuffer, or ſuſtain any prejudice, which belongs to them to prevent, as they will be anſwerable to the next General Aſſembly. And they are hereby ſtrictly prohibited and diſcharged to meddle in any other matters, than what are committed to them, Declaring alſo, that in, and for all their Actings they ſhall be accountable to, and cenſurable by the next General Aſſembly of this Church. And laſtly, Declares that this Commiſſion ſhall continue until the Meeting of the next General Aſſembly.

XX.

Inſtructions to the Commiſſion.

Eadem Seſſione.

THAT this Commiſſion alſe often as they ſhall ſee cauſe, Apply to the Government, or any Magiſtrate, for their counte-

countenanceing of, and concurring with the Judicatories of the Church, in what the Law allows, and for puting in Execution the Laws againſt Popery, and Prophaneneſs, and ſeeking Redreſs of Greivances, particularly the Abuſes or Diſorders committed contrary to the Eſtabliſhed Presbyterian Government of this Church, the contempt of the Cenſures of the Judicatories thereof, inflicted on Scandalous Perſons, and for ſettling Vacant Congregations, regulating the Poor by providing Maintenance, and Labour for them, and to meet when the Parliament ſits.

2. That when any of the Miniſters who ſerved under the late Prelacy, whoſe Lives and Doctrines may render them uſeful to this Church, do apply for Reception into a ſhare of the Government thereof, The General Aſſembly do hereby Impower and Recommend to their Commiſſion, to receive them, according to the 13th parag. of the 16 Act of the General Aſſembly *anno* 1697. And that the foreſaid Commiſſion, be careful to get due Information from the Presbytries where the ſaid Perſon applying did, or does officiat, and for the time reſides.

3. That this Commiſſion uſe their utmoſt diligence for getting payment of the Money gifted by the Queen's *Majeſtie*, for defraying the publick charges of the Church; And in diſpoſing thereof, they are particularly to take care, that the publick Debts of the Church be firſt payed, The encouragement granted by the General Aſſembly *anno* 1699, to Probationers, who go North or to the *Highlands* to Preach, be rendered effectual, and that they cauſe defray the extraordinary Charges and Expences, that Miniſters of the North have been at, in carrying on the Planting of Churches, and other publick Affairs of the Church there.

4. The forſaid Commiſſion is to cognoſce and finally determine, in all References already made, or to be made to them, by this Aſſembly, and in References and Appeals for Tranſporting Miniſters to the *North* and the *Highlands* and *Iſles*, which ſhall be brought before them, according to the Overtures made thereanent *Anno* 1699. And that Tranſportations to any Paroches in theſe places, whether priviledged by former Acts of Aſſembly or not, be carried on, and that in the moſt expedite way.

5. This Commiſſion is alſo to correſpond with the State, anent Faſts and Thankſgivings, as occaſion requires, and to ſpecify the Cauſes thereof.

6. That this Commiſſion give advice and aſſiſtance to any Synod or Presbytrie in difficult caſes, as they ſhall be applyed unto by them for that effect: As alſo this Commiſſion is impowered to proceed according to the 7*th*, Act of the Ge-

neral Assembly 1700, made in favours of the Presbytrys of *Caithness*, *Orkney* and *Zetland*, their Synod being to meet only once in the year, and so cannot give them all the assistance that is necessary.

7. This Commission is Impowered to enquire how Ministers Transported, or to be Transported by the General Assembly, or Commissions thereof, have obeyed, or shall obey, and in case of Disobedience, that they suspend the Disobedient Persons for three *Moneths*, and in case they do not obey after these three Moneths are elapsed, that then they be *simpliciter* deposed.

8. That the Commission give all due Encouragement and Assistance, to any Proposals may be made to them, anent Endeavours for *Reformation* of Manners, and for the effectual curbing of *Prophanity*.

9. That the said Commission shall see to the Effectuateing, whatever hath, or shall be by this Assembly committed to them, concerning the *Highlands* and *Islands*, and Vacant Churches in the *North*, for Erecting Schools, and what else may tend to the encouragement of Religion, and advancement of Reformation in these places.

10. That the Commission apply to the Parliament for getting a Commission for Plantation of Kirks and Valuation of Teinds, and another Commission for Visitation of Schools and Colledges, and to use their utmost endeavours, to make the design thereof effectual, particularly for preventing or redressing, any corruption that may be found in Doctrine, or Manners, and whatever may have a Tendency thereto.

11. That the Commission have a special respect to the 9*th* Act of the General Assembly 1703. Entituled, *Act approving some Overtures, concerning the planting Vacant Churches in the* North, *and* Highlands, and *Islands, and supplying thereof with Ministers and Probationers, and promoving Religion, and the Knowledge of GOD in these places.* And the Commission are hereby Impowered to proceed according to these Overtures, in so far as they shall find needful.

XXI.

Act against Popery, and for sending in their Names to the Clerks of the Privy Council.

Eadem Sessione.

THE General Assembly taking to their Consideration, the Growth of Popery, and that it is incumbent on them

them, to do all they can for suppressing thereof; do Appoint Presbytries to send in Lists to the Clerks of Her *Majesties* Privy Council, conform to the Acts of *Parliament* and Proclamations of Council thereanent, of all Papists within their Bounds, and that these Lists be particular, as to the Names and Designations of the *Persons* who Entertain them, and contain the *Places* where they are entertained, and where they *Preach* and Hear, and Say *Mass*, and that they be particular as to the Evidences, by giving the Names and *Designations* of the Witnesses, and in Respect that Ministers when they come to deal with *Papists*, in order to bring them off from their Errors, are by them and their Friends abused, and maletreated and Violence offered to their *Persons*: The General Assembly do hereby appoint their Commission to apply to the Government, to provide for the Security of *Ministers*, who undertake this Work, that they may be protected from Violence and Injuries.

XXII.

Recommendation, against Protestants *Marrying with* Papists.

Eadem Sessione.

THE General Assembly recommends to *Ministers*, to be at pains to dehort their People from Marrying with Papists, and hold forth the dangerous Effects thereof, and the General Assembly, do hereby instruct their Commission, to apply to the *Parliament* for an Act discharging such unequal *Marriages*, and recommends to the several *Presbytries* to think upon some Overtures, that may tend to prevent such *Marriages*.

XXIII.

Act appointing Presbytries to send in their Opinions concerning some Overtures transmitted in the Year 1698.

Eadem Sessione.

THE General Assembly do hereby appoint the several Presbytries, to send in to the next Assembly, their Opinions in Write, according to the 16*th* Act of the General Assembly *anno* 1700, anent the Printed Overtures, concerning the *Method* and Form of the Procedure of the Judicatories

dicatories of the Church againſt Scandalous Perſons, formerly tranſmitted by the Commiſſion of the General Aſſembly 1698, and ſubjoined to the Acts of the Aſſembly that Year.

XXIV.

Act in favours of Campvere.

Eodem die poſt meridiem Seſſion 14.

THE General aſſembly having heard a Repreſentation made to them by Sir *Andrew Kennedy* of *Clowburn* Conſervator of the *Scots* Priveledges, in the Netherlands and Ruling Elder, Commiſſionate from the Conſiſtory of the *Scots* Kirk of *Campvere* in *Zealand*, Bearing, that there were ſeveral Propoſitions concerning the ſaid Kirk, given in to, and Approven by the General Aſſembly *anno* 1642, which are yet ſtanding Recorded in the Conſiſtory Books there, And in reſpect the Regiſters of the General Aſſembly were deſtroyed by Fire, Therefore craving to the Effect aftermentioned, The General Aſſembly having conſidered this Requeſt, and finding the ſaids Propoſitions Juſt and Reaſonable; Do hereby of new, Enact and Authorize the Propoſitions aftermentioned, and Appoints them to be contained and Inſert in the Regiſters of this Aſſembly, The Tenor whereof follows. St. Andrews Auguſt 6*th* 1642. *Seſſion* 13*th*. *Propoſitions concerning the Kirk of* Campvere, *given in to the Aſſembly, from the Committee of Overtures.* Since it has pleaſed the Aſſembly to joyn the *Scots* Kirk at *Campvere* with this Kirk; it were not amiſs, that the Moderator ſhould call for the Miniſter of it, Mr. *William Spang*, to direct him in the Name of the Aſſembly to obſerve henceforth, that Order in the Outward Worſhip of God, and Exercile of Diſcipline, as is here received by Law and Practice. 2*do*. That ſince the Aſſembly condeſcendeth, that Commiſſioners from that Kirk of *Campvere* ſhall come, but now and then, as commodiouſly they may, that they are not hereby to plead a continual Exemption; But muſt reſolve to come to the Aſſembly every Third Year at leaſt, with a Ruling Elder. 3*tio*. That whatſoever Difficulty ſhall occur in the Exerſile of Diſcipline, which the Seſſion there, ſhall find too difficult for them; That they acquaint the Presbytry of *Edinburgh* or Commiſſioners from the General Aſſembly with the ſame, to receive Counſel and Advice from them. 4*to*, That an Act may be made

for the the payment of the Expences of the Ministers, coming hither at the *Assemblies* Command, least the Losses sustained will make Him, and the *Ruling* Elder afterwards more unwilling, to come so long a Journey: These Propositions were Read and *Approven* by the *Assembly*, and Mr. *William Spang* Minister at the said Kirk and Commissioner to this *Assembly*, promised to endeavour by the Lords *Assistance* to obey the Directions there mentioned. Extracted forth of the Books of the General Assembly, by me Sir *Archibald Jhonston* Clerk thereto. *Sic Subscribitur* A. JHONSTON. *Cls. Eccl.* Follows the Attestation of the Consistory of *Campvere*. That this is the true and full Extract of the above-written Acts as contained in this our said Register, is after Reading and Comparing of the same by the Consistory of this Staple Church Attested in their Name, at their Appointment and in their Presence, at *Campere* 5*th March* 1704, by *John Chalmers* Minister and Session Clerk. And 2*do*. The said Sir *Andrew Kennedy* conform to a particular Instruction given to him by the said Consistory, farder craved, that the said General Assembly would be pleased to Impower and Authorize all Commissions of this or the Subsequent Assemblies of this Church, to Act, Cognosce, Advise and Determine, in all Affairs belonging to the said Kirk and Consistory of *Campvere*, that shall be proposed to, or pursued before them, as their immediate Superior Judicatory. The General Assembly having considered the Premisses, do hereby Impower and Authorise the foresaids Commissions, in manner as above craved, and appoint their Clerk to Record the same in their Books: And farder, the said Sir *Andrew Kennedy* craved, conform to his Instructions thereanent, that the Expence of their Commissioners to the Assemblies may be payed them by the Publick: The Assembly having considered this Desire, do recommend it to the said Consistory of *Campvere* to pay the Charges of their own Commissioners out of their own Stock, until this Church be in a better Capacity to assist them.

XXV.

Act, anent preparing a Form of Process, and the Overtures concerning Church Discipline.

Eadem Sessione.

THE General Assembly taking to their Consideration, that all the former Endeavours about the bringing the printed Overtures of Discipline to a Period, have not had the desired Effect; Do therefore Nominate the Reverend Mr

Thomas Wilkie their Moderator, Mrs. *William Crightoun*, *John Law*, *George Meldrum*, *George Hamilton*, *David Blair*, *William Carſtairs* and *Charles Gordon* Miniſters, the Lord Preſident of the Seſſion, The Lord Advocat, Lord *Halcraig* and Lord *Tillicultrie*, Ruling Elders, as a Committee, to meet and continue together, until they have concerted and agreed upon a Form of Proceſs, for Regulating the Procedure of Church Judicatories for the future, and recommends to them to have the ſame in readineſs againſt the next Aſſembly, and for that end to prepare it againſt the quarterly Meeting of the Commiſſion in *June* next; That it being Reviſed by them, may be tranſmitted to the ſeveral Presbytries, for their Opinions thereanent, to be Reported to the next Aſſembly; And the ſaid Commiſſion, are appointed to Name the Dyets and Place of the ſaid Committees Meeting: And farder the Aſſembly conſidering, that albeit the printed Overtures for Diſcipline, be not ſo ſuccinct, as need were; yet that the ſame as now amended, may be very uſeful; Do therefore recommend to the Commiſſion, to cauſe again Reviſe the ſaids whole Overtures with the Amendments, and cauſe Reprint and Tranſmitt the ſame to the ſeveral Presbytries, that their Opinion thereanent, may be Reported to the next Aſſembly, who are to order what is to be done therewith, as they ſhall think meet.

XXVI.

Act anent a Faſt.

Edinburgh 31 *of March* 1704, Ante meridiem Seſſion 15*th* & ultima.

THE General Aſſembly conſidering the preſent Unſeaſonableneſs of the Weather in Seed-time, with many other weighty Grounds and Cauſes of Faſting and Humiliatiom before God; Do judge it fit that a Day be ſet a part for that Solemn Dutie; But conſidering, that much of the Seed-time might be over, before a Faſt could be obtained in one Day through the whole Nation, and that the caſe of the Country is different in the ſeveral Bounds of Synods and Presbytries; Therefore they moſt Seriouſly and Earneſtly Recommend it, to the ſeveral Syonds and Presbytries within this National Church, to Appoint and ſet apart a Day for Prayer and Faſting within their Reſpective Bounds, and to condeſcend upon the Cauſes thereof, ſuitable to the preſent Circumſtances of Affairs, both at Home and Abroad, and the ſpecial circumſtances of their ſeveral Bounds, and that this be done alſe ſoon as can be, And the Ge-

General Aſſembly recommends to Miniſters, to be moſt ſerious, in holding forth to their people, the greivous Sins of this Land, and the Tokens of GOD'S Diſpleaſure becauſe of them, expreſt many ways, and particularly by the Unſeaſonableneſs of the Weather in Seed-time, and exhorting them to Fervent *Prayer*, and Serious Repentance and Reformation, and that the ſaid Humiliation and Faſt may be the more ſpeedily and ſeaſonably gone about: The General Aſſembly Appoints the ſeveral Miniſters, Members of this Aſſembly to acquaint their Presbytries of this Appointment, that Miniſters and *People* may have time to prepare themſelves ſuitable for ſuch a Solemn Work, And Orders thir *Preſents* to be *Printed*, that Copies thereof may be in readineſs for the Commiſſioners from the ſeveral Presbytries to take along with them.

XXVII.

Act anent the Regiſters of the Church.

Eadem Seſſione.

THE General Aſſembly conſidering the Prejudice the Church ſuſtains, through the Loſs of the Regiſters, thereof, and being informed that ſome of them and other *Papers* that may be uſeful for the Church, are in the hands of ſeveral Perſons, both in this, and our Neighbour Nation in *England*; do renew the Recommendation contained in the 11*th* Act of the General Aſſembly *anno* 1703. And Impowers their Commiſſion to do according thereto.

XXVIII.

Eadem Seſſione.

THE General Aſſembly having heard the *Propoſals* concerning Schools and Burſaries, and Inſtructing Youth in the Principles of Religion, which were by order of the Commiſſion of the late Aſſembly *Printed* and Tranſmitted to the ſeveral Presbytries, but finding that but a very few of theſe Presbytries have ſent in their Opinions there-

anent, Do recommend to them to consider thereof, according to the 16*th* Act of the General Assembly *anno* 1700, and send in their Thoughts thereupon to the next Assembly: And for that end Ordains the same to be transmitted to the several Presbytries. The Tenor of which Overtures do follow.

Overtures concerning *Schools* and *Bursaries*, and for Instructing Youth in the Principles of Religion.

1. THAT Ministers take care to have Schools Erected in every Parish, conform to *Act of Parliament*, for Teaching Youth to Read *English*, that the Poor be Taught upon Charity, and that none be suffered to neglect the Teaching of their Children to Read.

2. That in no Parish, the Minister recommend Youth to be Taught *Latine* upon Charity, in any *Grammar School*, but after Examining the said Child or Children, in presence of Three or Four Members of Session, as to their promptitude and dexterity in Reading, and competent skill in Writing, as to their Vertuous Inclinations, and as to the hopefulness of their Proficiency, and that none be received in *Grammar Schools*, to be Taught *Latine* upon Charity, but upon such Recommendations.

3. That each Presbytry appoint a Committee of their Number Yearly, to Examine the poor Scholars in the *Grammar Schools*, and such within their Bounds as go to the *Colledges*, with an Eye to *Bursaries*, and suffer none to proceed, but such as are very forward and good Proficients, and of good Behaviour, and that Ministers recommend none to *Bursaries*, but such as are so qualified.

4. That Presbytries take special care to Examine the poor *Latine Scholars* Taught upon Charity, or any others who are to be recommended to *Bursaries* in the *Colledges* or *gratis* Teaching, as to their Proficiency, Pregnancy and forward Capacity for Learning. And likeways as to their good Inclinations, and commendable Behaviour and Diligence.

5. That it be recommended to Regents and Masters of *Colledges*, that no Persons especially Bursars be Laureate, but upon a clear evidence of sufficiency of their Learning, and good Behaviour, after strict Examination.

6. That

6. That it be recommended to Masters in Universities, that they be careful to Instruct their Scholars in the Principles of the Christian Reformed Religion; And to Ministers and Presbytries, that they may deal with Noblemen and Gentlemen, who from time to time may have Sons at the Colledge, that after they have finished their Course of Philosophy, they may at least for one Year more, apply themselves to the Study of Theology, that so the Nobility and Gentry may the better understand the Principles of Religion, And that such as the Lord shall so incline, may further pursue the said Study, in order to the Ministry; By which means persons of Note, and of Liberal Education may come into that Office, And that for the sake of such, it may be recommended to the Professors to go thorow a select short System once a year.

7. That Professors of *Theologie* take very particular notice of the Piety and Christian Carriage of their Students, and that their Testimonials to Presbytries, for entering Men on Tryals for the Ministry, bear their Knowledge of the persons Recommended, as to their moral and pious Carriage, as to their progress in their Studies, and their promising parts, and that the Professor does truely judge the person fit for the Service of the Church. And that Presbytries receive none upon Testimonials from Professors, but who are so Attested.

XXIX.

THE next General Assembly of this National Church, is to be holden at *Edinburgh*, The last Thursday of *March*, *One Thousand Seven Hundered and Five Years.*

This Assembly was Concluded with Prayer, Singing the 48 Psalm, from Verse 7 to the Close, and Pronounceing the Blessing.

Collected and Extracted from the Records of the General Assembly, by

Jo. Dundas. Cls